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Page		_of	7.

CONSERVATION EASEMENT

STATE OF FLORIDA COUNTY OF LEON

THIS CONSERVATION EASEMENT is hereby made on this 35 day of 400 day of 500 da

Witnesseth:

For and in consideration of the mutual promises and other good and valuable considerations as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee and its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit A, which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, <u>Florida Statutes</u>:

- 1. Construction or placing of buildings, roads, signs, billboards, or other advertising, utilities, or other structures above or on the ground.
- 2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
- 3. Removal or destruction of trees, shrubs, or other vegetation.
- 4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
- 5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
- 6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conversation, or fish and wildlife conservation habitat preservation.
- 7. Acts or uses detrimental to such retention of land or water areas.
- 8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Notwithstanding the foregoing, the Grantor, or her assigns, shall be permitted to perform the activities set forth in the plan attached hereto as <u>Exhibit B</u>, which also establishes additional conditions applicable to this Conservation Easement and addresses maintenance responsibilities.

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Page_	2	of_7_

It is understood that the granting of this easement entitles Grantee to enter the above-described land in a reasonable manner at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered.

Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

Witness:

GRANTOR

Suglain Woodcock

(Print Name)

Witness:

Matthew B Hessell

(Print Name)

MISSISSIPPI STATE OF FERMI HARRISOX

The foregoing instrument was acknowledged before me on this <u>95</u> day of <u>unu</u>, 2003, by JOYCE BURNSED, who is personally known to me or has produced a drivers license as identification, and who did not take an oath.

Notary Public

(Notary Stamp and Seal)

Notary Expiration Date: 2-27-2004

Prepared by:

W. Kirk Brown, Esq. P. O. Box 38006 Tallahassee, FL 32315

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C (P) TULLY ESTATES PLAT BOOK 11, PAGE 78 13 14 15 16 18 20 22 23 24 25 26 27 28 WILLIAMS LANDING ROAD 29 30 31 32] 33 STATE S 0503'04" W CONSERVATION 66' R/W EASEMENT #2 (0.30± AC.S) ROAD WILLIAMS HANDING ROAD LOT 18 3.24±AC.\$ LOT 20 3.43±AC.S LOT 19 3.41±AC.S LOT 16 3.77±AC.S ∆≈06°38'12° LOT 11 3.22±AC.S LOT 18 1.73±AG.S R=3652.72*(S) LOT 8 LOT :S4.28+AC3|.246 IOT 7 L=446.27'(S) 575'26'24"W _ N 01"16"14" W 1169.29'(S) LOT 15 8.25±AC.5 PATCH WORK ROAD CH=446.02'(S) 5 223474. LOT 13 6.09±AC.5 3.84±AC.S 3.24±AC.5 LOT 14 4.10±AC.S S 35'41'00" 187.76 S 17"14"41" E 212.54 TALQUIN (9.70± AC 89"41"40" E 220,27" PLOC.
THE NORTHWEST CONNER OF
THE NORTHEAST QUARTER OF
SECTION 34, T-1-M, R-3-W
LEDN COUNTY, FLORIDA N 00'04'00" W 1366.00'(S) GRAPHIC SCALE LEGEND: LENGTH BÉARING SAME 51.27 N 1134'41" E 791.21 791.21 DENOTES CONSERVATION EASEMENT AREAS POINT N DO 12 17 E 195.08 N 05'33'12" W 113,69 S 01'03'56" W S 15'05'56" N 1518 21 W UNCS W WEY KV FIP FINAL SHALL 211.33 N 33'00'02' W 133.49 N 28'39'06' W L14 1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON OVERALL BOUNDARY SURVEY, PERFORMED BY THIS FIRM.
3. THE TIE FROM THE P.O.C. TO THE P.O.B. L15 133.49 N 28'39'06" W L16 60.41 N 41'39'25" W L17 23.87 N 89'42'42" W (IN FEET) S 0751'58" W 1 inch = 300 ft.26.13 N 1878'21 W \\$ 33702'04" E IS NOT TO SCALE. EXHIBIT "A" DRAWN BY : BD SKETCH AND DESCRIPTION OF ENGINEERING & SURVEYING, Inc. CHECKED BY BFB 9.70± ACRE CONSERVATION EASEMENTS DATE : 06/20/03 REVISED: LB NO. 6745 THE LYNDERSIGNED SHAVEYOR HAS NOT BEEN PROVIDED A DURNER! TITLE OPINION OR ASSITANCE OF MATTERS APPLICATION TITLE OR SOURCEST PROPERTY. IT THE SUBJECT PROPERTY. IT THE SUBJECT PROPERTY OF OTHER MATTERS OR OTHER MATTERS OF OTHER MATTERS OF OTHER MESTREMENTS IN WHICH DUD AFFECT. LOCATED IN SECTION 34, T-1-N, R-3-W 9CALE 1" = 300" 2145 DELTA BOULEVARD, SUITE 100 TALLAHASSEE, FLORIDA 32303 BARBARA JO BERGSTROM J PROFESSIONAL SURVEYOR AND MAPPER OF 2 LEON COUNTY, FLORIDA STATE OF FLORIDA LICENSE NO. 5754 TELEPHONE # (850) 386-5117 03101 WILLIAMS LANDING

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DRAWN BY : BO CHECKED BY : BFB DATE : 06/20/03 REVISEDS SCALE 1" - 300"

SEE SHEET 1 OF 2 FOR NOTES & SKETCH

ENGINEERING & SURVEYING, Inc.

LB NO. 6745

2145 DELTA BOULEVARD, SUITE 100 TALLAHASSEE, FLORIDA 32303 TELEPHONE # (850) 386-5117

SKETCH AND DESCRIPTION OF 9.70± ACRE CONSERVATION EASEMENTS LOCATED IN SECTION 34, T-1-N, R-3-W

LEON COUNTY, FLORIDA

OF 2 03101

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LEGAL DESCRIPTION: A 9.70 ACRE CONSERVATION EASEMENT LYING IN SECTION 34. TOWNSHIP 1 NORTH, RANGE 3 WEST, LEON COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of the Northeast quarter of Section 34, Township 1 North, Range 3 West Leon County, Florida and run thence South 89 degrees 41 minutes 40 seconds East glong the North line of said Section 34, 220.27 feet to a point lying on the Easterly right of way boundary of Williams Landing Road (65 foot right of way), thence South 89 degrees 41 minutes 40 seconds East 791.21 feet, thence South 33 degrees 02 minutes 04 seconds East 10.00 feet, thence South 18 degrees 35 minutes 04 seconds East 192.00 feet, thence South 07 degrees 51 minutes 56 seconds West 153.00 feet, thence South 15 degrees 05 minutes 56 seconds West 146.00 feet, thence South 01 degrees 03 minutes 56 seconds West 304.00 feet, thence South 16 degrees 58 minutes 04 seconds East 321.78 feet, thence South 85 degrees 23 minutes 50 seconds West 87.73 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run thence South 85 degrees 23 minutes 50 seconds West 170.31 feet, thence South 22 degrees 34 minutes 14 seconds West 128.06 feet, thence South 35 degrees 41 minutes 00 seconds East 187.76 feet, thence South 26 degrees 21 minutes 35 seconds East 219.59 feet, thence South 22 degrees 47 minutes 05 seconds East 135.01 feet, thence South 17 degrees 14 minutes 41 seconds East 212.54 feet, thence South 33 degrees 13 minutes 08 seconds East 52.72 feet, thence South 15 degrees 24 minutes 58 seconds West 111.98 feet, thence South 00 degrees 04 minutes 00 seconds East 211.41 feet, thence South 52 degrees 30 minutes 23 seconds West 118.41 feet, thence South 89 degrees 54 minutes 19 seconds West 154.59 feet, thence South 15 degrees 03 minutes 19 seconds West 191.66 feet, thence South 00 degrees 04 minutes 00 seconds East 185.00 feet, thence North 89 degrees 54 minutes 19 seconds East 447.74 feet, thence North 00 degrees 04 minutes 00 seconds West 1248.99 feet, thence North 89 degrees 42 minutes 42 seconds West 23.87 feet, thence North 41 degrees 09 minutes 25 seconds West 60.41 feet, thence North 28 degrees 39 minutes 06 seconds West 133.49 feet, thence North 33 degrees 00 minutes 02 seconds West 211.33 feet, thence North 18 degrees 18 minutes 21 seconds West 26.13 feet to the POINT OF BEGINNING.

EXHIBIT "A"

Exhibit B Page 1 of 1

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CONSERVATION EASEMENT MANAGEMENT & MAINTENANCE PLAN

Notice: This plan does not necessarily provide exemption from any other applicable local, state, or federal regulations.

A. The Following Activities Are Allowed Within Conservation Easement Area #1:

- 1. Eradication of invasive and nuisance plant species through the application of herbicides or by physical removal of such plants. Herbicides must be applied in accordance with the manufacturer's labeling. As used herein, "invasive" species are those plants listed by the Florida Exotic Pest Plant Council's (EPPC) List of Invasive Species. "Nuisance" species are native plants not listed by the EPPC but are considered undesirable due to their competitive effects, such as grapevine, cattail, dog fennel, catbriar, etc. The Leon County Department of Growth and Environmental Management or its successor must be contacted prior to the eradication of nuisance plants to ensure the County agrees with designating the particular plant species as being a nuisance species.
- Planting of native species that are adapted to local site conditions. Any proposed planting of additional
 vegetation should first be submitted to the Leon County Department of Growth and Environmental
 Management or its successor for review and approval.
- Removal of dead, diseased, or dying vegetation other than standing dead or dying trees unless such trees pose a safety threat. Such removal of vegetation must be conducted in a manner that minimizes disturbance to the soil surface and minimizes impacts to nearby plants other than invasive or nuisance species.
- Any other activities specifically authorized by an Environmental Management Permit issued by the Leon County Department of Growth and Environmental Management or its successor.
- Prescribed fire may be administered by a certified burner who must first obtain all necessary permits, including an Environmental Management Permit issued by Leon County. Fire breaks necessary for such prescribed fires may be established if so authorized by Leon County as part of the required Environmental Management Permit.
- 6. Owners of Lots 11, 12, 13, 14, 15, 16, and 17 can each establish and maintain a pedestrian pathway leading though the conservation easement area on said lots. Only one pathway is allowed per lot and the width of each pathway cannot exceed 8 feet except as provided for in subsection B.1. Vegetation within each pathway can be mown or trimmed. The alignment of the each pathway shall be established in a manner that avoids impacts to existing trees to the greatest degree practicable. The maximum length of the pathways shall be as follows: for Lots 11 and 12 the maximum length is 300 feet; for Lot 13 the maximum length is 375 feet; for Lots 14 and 15 the maximum length is 250 feet; for Lots 16 and 17 the maximum length is 400 feet.
- 7. An elevated wooden boardwalk or similar raised walkway and wooden stairways can be constructed within the pedestrian pathways described in Section A.6. The maximum width of these structures shall not exceed 5 feet. All activities within the conservation easement necessary to construct these boardwalks and stairways shall be confined to the established pedestrian pathways. Temporary stockpiling of materials in the conservation easement area outside the limits of the 8-foot wide pedestrian pathways is prohibited. All waste materials generated during construction activities, including but not limited to felled vegetation, must be disposed of outside the limits of the conservation easement area and shall not be disposed in Lake Talquin.

B. The Following Is Applicable to Lots 11, 12, and 13 Only (Special Activities Allowed in Conservation Easement Area #1):

1. The guidelines set forth in this subsection must be followed during any activity undertaken by the

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individual lot owner to create a lake view, to establish a swimming area, to install a dock or accessory structure, or to establish an access walkway to the lakefront. The activities listed below are allowed along each lot's lake frontage but are restricted to an area on each lot that: (a) shall be no wider than 50 feet as measured from the lake's ordinary high water line and extending landward from this ordinary high water line, and; (b) shall not exceed the following lengths as measured along the lake's shoreline; 55 feet for Lot 11, 50 feet for Lot 12, and 80 feet for Lot 13. The following activities are allowed within the areas described above, even where such areas fall within the limits of Conservation Easement Area #1.

- (a). Woody vegetation less than 4" diameter breast high (DBH) may be cut at ground level with a saw, axe, or clippers. Cut material must be removed from protected areas by hand.
- (b). Low hanging tree limbs may be pruned, but such pruning shall not exceed 30% of the tree crown.
- (c). Mowing and/or trimming of vegetation is allowed within 15 feet of each side of a dock or other accessory structure, such as a boardwalk walkway, in accordance with Section 10-187(e)(2) of the Leon County Land Development Code. Use of lawnmower bags is recommended if mowing is employed.
- (d). A pedestrian pathway leading to the lake can be established and maintained, however this pathway cannot exceed 10 feet in width. Vegetation within this pathway can be mown or trimmed.
- (e). A dock or boardwalk can be constructed through the area and can extend into Lake Talquin. For those portions of such structures located waterward of the lake's ordinary high water line, the deck must be higher than the elevation of the 25-year floodplain or at least 2 feet higher than the elevation of the lake's ordinary high water elevation, whichever is greater, and the structure must be supported on pilings. Removal of woody vegetation necessary to build the cited structures is allowed but the method of removal is limited to cutting these plants at ground level, unless otherwise authorized by Leon County, and all felled materials must be removed from the conservation easement area. Prior to construction of any structures, appropriate permits must first be obtained from the Florida Department of Environmental Protection and from Leon County.
- 2. Owners of Lots 11, 12, and 13 may each install utilities through Conservation Easement Area #1 in order to provide water and electrical service to their dock areas on Lake Talquin. For each lot, these utilities shall be limited to electrical wires contained in a single line of conduit not to exceed 3 inches in diameter and a single water pipe (conduit) not to exceed 3 inches in diameter. These utility conduits must be installed within the limits of the pedestrian pathways established through the conservation easement area on a given lot as described in Section A.6 and within the limits of the pedestrian pathway, dock, or boardwalk established on a given lot as described in Sections B.1.(d) and B.1.(e). These utility conduits may be installed underground or may be suspended under elevated boardwalks, walkways, and docks. Prior to any construction activities associated with installation of said utilities, an Environmental Management Permit must be obtained from Leon County. If installation of said utilities will involve underground installation through wetlands, appropriate permits must also be obtained from the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers prior to installation activities.

C. General Maintenance of Conservation Easement Area #1:

The conservation easement area must be maintained in perpetuity such that the average percent cover accounted for by invasive plant species does not exceed 5 percent and the average percent cover accounted for by nuisance plant species does not exceed 10 percent. Immediately following a maintenance event, the average percent cover by invasive and nuisance plant species should be as close to 0 percent as possible.

Maintenance of the conservation easement areas shall be the responsibility of the individual lot owner upon whose property a given conservation easement area or portion thereof is located. An individual lot owner affected by this maintenance requirement will only be responsible for the maintenance of that portion of the

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conservation easement area located on the lot owner's property. The property owner (lot owner) shall be deemed to be the person or persons shown as the property owner on the tax roll of the Leon County Property Appraiser.